

**Notice of Allowability**

Application No.

10/647,646

Examiner

Kanji Patel

Applicant(s)

TAKANO ET AL.

Art Unit

2624

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephone interview on 9/14/07 and amendment filed 6/29/07.
2. ☒ The allowed claim(s) is/are 1,4-7,10-53,56-59,62-64,77-84 and 87-94.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Timothy D. Meade on 09/14/07.

The application has been amended as follows:

**In the claims:**

**Cancel claims 2-3, 8-9, 54-55 and 60-61**

**Claim 4, line 1, change "3" to - 1 --**

**Claim 5, line 1, change "3" to - 1 --**

**Claim 6, line 1, change "3" to - 1 --**

**Claim 10, line 1, change "9" to - 7 --**

**Claim 11, line 1, change "9" to - 7 --**

**Claim 12, line 1, change "9" to - 7 --**

**Claim 13, line 1, change "2" to - 1 -**

**Claim 14, line 1, change " 8" to - 7 -**

**Claim 56, line 1, change "55" to - 53 --**

**Claim 57, line 1, change " 55" to - 53 --**

**Claim 58, line 1, change " 55" to - 53 --**

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**Claim 62, line 1, change "61" to – 59 --**

**Claim 63, line 1, change "61" to – 59 --**

**Claim 64, line 1, change "61" to – 59 --**

**Claim 77, line 1, change "3" to – 1 --**

**Claim 78, line 1, change "9" to – 7 –**

**Claim 83, line 1, change "55" to – 53 --**

**Claim 84, line 1, change "61" to – 59 –**

**Claims 56-58, 62-64, 83-84 and 93-94, line 1, change " recording medium "**  
**to -- computer readable recording medium --**

**Replace claims 1, 7, 53 and 59 with the following currently amended version:**

**Claim1. (Currently Amended)** An image processing method comprising:

subjecting captured-image data outputted from an image- capturing device to an optimization processing for appreciation to produce viewing image referred image data; and

conducting a pre-processing before the optimization processing is carried out; wherein, the pre-processing comprises to transform the frequency characteristic of the captured-image data into the scene-referred frequency characteristic by removing the effect of a frequency characteristic specific to the image- capturing device from the frequency characteristic of the captured-image data,

wherein the frequency characteristic specific to the image-capturing device is a model frequency characteristic specific to an image-capturing device model,

wherein the pre-processing further comprises to transform the gradation characteristic of the captured-image data into a scene- referred gradation characteristic by removing the effect of a gradation characteristic specific to the image-capturing device from the gradation characteristic of the captured- image data.

**Claim 7. (Currently Amended)** An image processing method comprising: subjecting captured-image data outputted from an image- capturing device to an optimization processing for appreciation to produce viewing image referred image data; generating condition data for outputting the captured- image data to an output medium on the basis of condition data for carrying out a pre-processing before the optimization processing is carried out, the pre-processing comprising to transform the frequency characteristic of the captured-image data into the scene-referred frequency characteristic by removing the effect of frequency characteristic specific to the image-capturing device from the frequency characteristic of the captured-image data, and on the base of condition data for carrying out the optimization processing,

wherein the frequency characteristic specific to the image-capturing device is a model frequency characteristic specific to an image-capturing device model,

wherein the pre-processing further comprises to transform the gradation characteristic of the captured-image data into a scene- referred gradation characteristic by removing the effect of a gradation characteristic specific to the image-capturing device from the gradation characteristic of the captured- image data.

**Claim 53. (Currently Amended)** A computer readable recording medium capable of being read by a computer, which carries out an image processing for

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subjecting captured- image data outputted from an image-capturing device to an optimization processing for appreciation to produce viewing image referred image data, wherein the recording medium is recorded a program code for actualizing a function to carry out a pre-processing comprising to transform the frequency characteristic of the captured-image data into the scene- referred frequency characteristic by removing the effect of the frequency characteristic specific to the image-capturing device from the frequency characteristic of the captured-image data, before the practice of the aforesaid optimization processing,

wherein the frequency characteristic specific to the image-capturing device is a model frequency characteristic specific to an image-capturing device model, wherein the pre- processing further comprises to transform the gradation characteristic of the captured-image data into a scene- referred gradation characteristic by removing the effect of a gradation characteristic specific to the image-capturing device from the gradation characteristic of the captured- image data.

**Claim 59. (Currently Amended)** A recording medium capable of being read by a computer, which carries out an image processing for subjecting captured- image data outputted from an image-capturing device to an optimization processing for appreciation to produce viewing image referred image data, wherein the recording medium is recorded a program code for actualizing a function for generating condition data for outputting the captured-image data onto an output medium on the basis of condition data for carrying out a pre-processing before the optimization processing is carried out, the pre-processing comprising to transform the frequency characteristic of the captured-

image data into the scene-referred frequency characteristic by removing the effect of frequency characteristic specific to the image-capturing device from the frequency characteristic of the captured-image data, and on the base of condition data for carrying out the optimization processing,

wherein the frequency characteristic specific to the image-capturing device is a model frequency characteristic specific to an image-capturing device model,

wherein the pre- processing further comprises to transform the gradation characteristic of the captured-image data into a scene- referred gradation characteristic by removing the effect of a gradation characteristic specific to the image-capturing device from the gradation characteristic of the captured- image data.

***Response to Amendment***

2. Applicant's amendment filed 6/29/07 has been entered and made of record.

By this amendment, claims 65-76, 85-86 and 95-96 are cancelled. Claims 2-3, 8-9, 54-55 and 60-61 are cancelled by the examiner's amendment. Claims 1, 4-7, 10-53, 56-59, 62-64, 77-84 and 87-94 are pending in the application.

In response to applicant's cancellation of claims 65-76, 85-86 and 95-96, the rejection under 35 USC 101 has been withdrawn.

***Allowable Subject Matter***

3. The following is an examiner's statement of reasons for allowance:

**Claims 1, 4-7, 10-53, 56-59, 62-64, 77-84 and 87-94** (renumbered as 1-72) are allowed.

Claims 1, 4-7, 10-53, 56-59, 62-64, 77-84 and 87-94 were allowed in the last Office action (see paragraph 5 of the last Office action mailed 4/5/07 for examiner's statement of reasons of allowance).

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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### **Contact Information**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kanji Patel whose telephone number is (571) 272-7454. The examiner can normally be reached on Monday to Thursday from 8 a.m. to 6:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lillis Eileen can be reached on (571) 272-6928 The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kanji Patel  
Art Unit 2624  
09/16/2007

  
**KANJIBHAI PATEL**  
**PRIMARY EXAMINER**